

(6)

1 COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

2 Name: LEON STEVEN

3 (Last)

(First)

JAN 23 2017
FED4 Prisoner Number: 16040540 / DUI 422SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT5 Institutional Address: 701 S. ABLE STREET, MILDITAS CA

NORTHERN DISTRICT OF CALIFORNIA

6 95035

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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 STEVEN ANDREW LEON **PROV17** 328

11 (Enter your full name.)

12 vs.

13 San JOSE POLICE DEPARTMENT14 OFFICER GUZMAN #3968

15 (Enter the full name(s) of the defendant(s) in this action.)

16 I. Exhaustion of Administrative Remedies.

17 Note: You must exhaust available administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.

18 A. Place of present confinement ELMWOOD CORRECTION MILDITAS CA19 B. Is there a grievance procedure in this institution? YES NO 20 C. If so, did you present the facts in your complaint for review through the grievance procedure? YES NO

21 D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue any available level of appeal, explain why.

22 1. Informal appeal: _____

23 _____

24 _____

1 2. First formal level: _____
2 _____
3 _____

4 3. Second formal level: _____
5 _____
6 _____

7 4. Third formal level: _____
8 _____
9 _____

10 E. Is the last level to which you appealed the highest level of appeal available to you?

11 YES NO

12 F. If you did not present your claim for review through the grievance procedure, explain why.

13 _____
14 NO PROCEDURE
15 _____

16 II. Parties.

17 A. Write your name and present address. Do the same for additional plaintiffs, if any.

18 STEVEN ANDREW LEON

19 701. SABLE STREET Milpitas, CA 95035

20 B. For each defendant, provide full name, official position and place of employment.

21 #3968 GUZMAN, POLICE OFFICER, SAN JOSE POLICE DEPT

22 _____
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1 III. Statement of Claim.

2 State briefly the facts of your case. Be sure to describe how each defendant is involved
3 and to include dates, when possible. Do not give any legal arguments or cite any cases or
statutes. If you have more than one claim, each claim should be set forth in a separate
numbered paragraph.

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October 7, 2016 VIOLATED MY 4TH AMENDMENT
SEIZER RIGHT, I WAS UNARMED AND NO
THREAT, THE OFFICER STRUCK ME WITH
His BATON, I FELL UNCONSCIOUS AND AWOKE
TO HIM STRIKING ME WHILE IN THE FOETAL
POSITION LAYING IN A POOL OF MY OWN blood.
I SUFFERED A FRACTURED LEFT HAND, A FRACTURED
RIGHT ELBOW, AND A LACERATION ON THE BACK OF
MY HEAD, MY ELBOW is HELD TOGETHER BY 8
SCREWS AND A LARGE PLATE.

16 || IV. Relief.

17 Your complaint must include a request for specific relief. State briefly exactly what you
want the court to do for you. Do not make legal arguments and do not cite any cases or
statutes. REIMBURSTED FOR loss w/oars, pain and
18 SUFFERING, MENTAL STRESSING, PTSD, ANXIETY,
19 DEPRESSION FROM INJURYS, LOSS OF TIME
20 WITH CHILDREN, SETTLE FOR 3.5 MILLION
21

24. I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

25 Executed on: 1 6 2017
Date

IAT THE FOREGOING IS TRUE AND CO

Signature of Plaintiff